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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 CYRIL SABBAGH,

11 Plaintiff,

12 v.

13 CELL THERAPEUTICS INC,

14 Defendant.

CASE NO. C10-414 MJP

ORDER DENYING ATTORNEYS
FEES AND REIMBURSEMENT FOR
OBJECTORS

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16 THIS MATTER comes before the Court on the Motion for Attorneys Fees by Objector
17 Daniel M. Delluomo (Delluomo) and the Motion for Attorneys Fees and Reimbursement of
18 Expenses by Objectors Preston Atamanczyk, Jeffery Goldstein (Goldstein). (Dkts. No. 127, 132.)
19 The Court DENIES both motions.

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21 Analysis

22 *1. Delluomo Motion*

23 Class member Delluomo is an attorney who represented himself as a registered pro se
24 objector. (Dkt. No. 132.) Attorneys cannot collect fees or costs for representing themselves. *See*

1 Kay v. Ehrler, 499 U.S. 423 (1991). The 9th Circuit makes clear there is "... a general rule that
2 pro se litigants, attorneys or not, cannot recover attorneys' fees." Elwood v. Drescher, 456 F.3d
3 943, 947 (2006). Delluomo represented himself, so his claim must be DENIED.

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5 *2. Goldstein Motion*

6 Attorneys Goldstein and Atamanczyk claim to have been instrumental in reducing class
7 counsel's requested 30% fee to a 23% fee, saving 1.33 million for the benefit of the class. (Dkt.
8 No. 127 at 1.) The Court does not agree that attorneys' arguments impacted the reduction of
9 counsel fees. The Court was well aware of the case law cited and arguments made and results
10 achieved. The 9th Circuit only awards attorneys' fees for objectors when their arguments further
11 the analysis. Goldstein and Atamanczyk are not entitled to fees or reimbursement. Wininger v. SI
12 Mgmt., L.P., 301 F.3d 1115, 1125-26 (2002).

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14 Conclusion

15 Because neither motion presents a viable claim to attorneys' fees or reimbursement, both
16 motions are DENIED.

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18 The clerk is ordered to provide copies of this order to all counsel.

19 Dated this 30th day of October, 2012.

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23 Marsha J. Pechman
24 Chief United States District Judge